

# EXHIBIT 1

## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI

<b>BANK OF THE WEST</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 4:19-cv-00588-SRB</b>
	)	
<b>MARTIN BROOKS, <i>IN PERSONAM</i></b>	)	
	)	
<b>AND</b>	)	
	)	
<b>BRIANNA BROOKS, <i>IN PERSONAM</i></b>	)	
	)	
<b>Defendants.</b>	)	

### **ATTORNEY'S AFFIRMATION IN SUPPORT OF MOTION FOR ENTRY OF DEFAULT UNDER RULE 55(a)**

J. Michael Bridges, an attorney admitted to the Bar of this Honorable Court, affirms the following in support of the instant Request to Clerk of Court to Enter Default:

1. I am counsel for Plaintiff Bank of the West in the above-captioned matter and I am personally fully familiar with the facts and circumstances set forth herein. I am admitted to practice before the United States District Court for the Western District of Missouri.

2. Plaintiff Bank of the West commenced the above-captioned action by filing the Verified Complaint in this matter on July 26, 2019 (Doc. 1).

3. The court files and record in this cause show that Defendant Martin Brooks was personally served with this Court's summons and a service copy of the Complaint in this action on Friday, August 2, 2019, at his place of residence, 420 Southeast Hackamore Drive, Lee's Summit, Missouri; and that Defendant Brianna Brooks was personally served with this Court's summons and a service copy of the Complaint in this action on Monday, August 5, 2019, at her place of residence, 420 Southeast Hackamore Drive, Lee's Summit, Missouri.

4. Defendants Martin Brooks and Brianna Brooks are not infants and, based on available information, they are not in the military and are not

incompetent. Despite said Defendant having been personally served with their respective summonses issued by the Clerk of this Court and their respective copies of the Verified Complaint, said Defendants have not appeared, answered, or otherwise responded.

5. Seven months have elapsed since Defendants Martin Brooks and Brianna Brooks were personally served with their summonses and copies of the Verified Complaint.

6. This Attorney's Affirmation is executed by the undersigned in accordance with Rule 55(a) of the Federal Rules of Civil Procedure for the purpose of enabling Plaintiff Bank of the West to obtain an entry of default against Defendants Martin Brooks and Brianna Brooks, and each of them, for failing to appear, answer, or otherwise defend as to the Verified Complaint.

**HUSCH BLACKWELL LLP**

/s/ J. Michael Bridges

J. Michael Bridges, MBN 41549

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**ATTORNEYS FOR PLAINTIFF**

THIS PLEADING IS FILED BY A DEBT COLLECTOR WHO IS  
ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION  
OBTAINED WILL BE USED FOR THAT PURPOSE.

### **CERTIFICATE OF SERVICE**

The undersigned certifies that a true copy of the above and foregoing was served by U.S. Mail, postage prepaid, and/or by email, on March 4, 2020, to the following:

MARTIN BROOKS  
420 Southeast Hackamore Drive  
Lee's Summit, Missouri 64082

BRIANNA BROOKS  
420 Southeast Hackamore Drive  
Lee's Summit, Missouri 64082

THE VESSEL LIQUID ASSETS  
c/o MARTIN BROOKS  
420 Southeast Hackamore Drive  
Lee's Summit, Missouri 64082

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U.S. Marshals Service  
400 E 9<sup>th</sup> Street, Suite 3740  
Kansas City, MO  
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/s/ J. Michael Bridges  
Attorney